

JH Ref P6 7273US0 Today's Date 1-8-04

Serial/Patent No. 10/076,648

Applicant, Patentee, Assignee VAREL et al

Filing Date/Patent Date February 19, 2002

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

_____ pp. Specification & Claims Response to Office Action
 Combined Declaration, Power of Attorney Disclosure Statement-IDS
 Preliminary Amendment Copies of References
 Rule 53 (b) Application Request for Refund
 Rule 53 (d)/RCE Application Request for Corrected Filing Receipt
 Claim to Priority and Certified Copy Petition for XOT
 Substitute Subsequent Declaration Notice of Appeal/Brief
 Maintenance Fee Sequence Listing
 Drawings Sheets Formal Informal Issue Fee Transmittal
 Assignment/Change of Name OtherReq. for Status of
 Small Entity Declaration Petition for Retroactive
 Check for \$ _____ License
JAN 08 2004
U.S. PATENT AND TRADEMARK OFFICE
JC34

JH 11/01 DUE DATE --

Person filing LHS

JACOBSON HOLMAN PLLC
400 SEVENTH STREET, N.W.
WASHINGTON, D.C. 20004

PATENT
CONF. NO. 2587
NOTICE OF ALLOWANCE DATE: 11/13/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Appln of:

VAREL et al.

Group Art Unit: 3682

Serial No.: 10/076,648

Examiner: T.R. Hannon

Filed: February 19, 2002

For: REMOVABLE MORTAR MIXER BEARING AND SEAL ASSEMBLY

REQUEST FOR STATUS OF PETITION FOR
RETROACTIVE LICENSE UNDER 35 USC §184

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

According to counsel's records, a Petition for Retroactive License Under 35 USC §184, together with the requisite Petition fee of \$130, was filed on September 12, 2002 (copy attached). No action on the Petition has been received, as yet. Please advise when we may expect a decision on the Petition.

Respectfully submitted,

By: 
HARVEY B. JACOBSON, JR.
Registration No. 20,851

JACOBSON HOLMAN PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004
Tel. (202) 638-6666
I.D. P67273US0
Date: January 8, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Appln of:

Edward A. VAREL et al.

Group Art Unit: 3682

Serial No.: 10/076,648

Filed: February 19, 2002

For: REMOVABLE MORTAR MIXER BEARING AND SEAL ASSEMBLY

**PETITION FOR RETROACTIVE LICENSE
UNDER 35 USC §184**

Assistant Commissioner of Patents
Washington, D.C. 20231
BOX DAC

Dear Sir:

It is requested that a retroactive foreign filing license be granted in connection with the above-identified U.S. patent application, for the following country:

Canada, filed February 25, 2002

In support of this request, undersigned counsel avers that the subject matter of the above U.S. patent application was not under a secrecy order at the time it was filed in Canada, and that it is not currently under a secrecy order.

Immediately upon it being brought to undersigned counsel's attention, on September 5, 2002, that the corresponding Canadian application should not have been filed until after receipt of a filing receipt from the U.S. Patent and Trademark Office indicating the grant of a foreign filing license for the above-identified U.S. application, undersigned counsel prepared the instant Petition.

At the time of filing the Canadian patent application on January 26, 2001, undersigned counsel did not appreciate the need for a foreign filing license directed thereto inasmuch as the technology covered by such invention, i.e., removable mortar mixer bearing and seal assembly, had no application in connection with any subject matter which would be considered to involve national security.

Undersigned counsel further avers that the error in proceeding with filing the corresponding Canadian application without awaiting receipt of the required license under §5.11 occurred without deceptive intent on the part of the Applicants or undersigned counsel.

The processing fee of \$130.00, as required under 37 CFR §1.17(h), is attached.

Favorable action commensurate with the foregoing is requested.

Respectfully submitted,

JACOBSON HOLMAN, PLLC

By: 
HARVEY B. JACOBSON, JR.
Reg. No. 20,851

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666
Atty. Dkt. No.: P67273US0
HBJ/lhs
Dated: September 12, 2002

<i>JH Ref</i>	P67273US0	Today's Date	9-12-02
Serial/Patent No.	10/076,648		
Applicant, Patentee, Assignee	VAREL et al		
Filing Date/Patent Date	February 19, 2002		

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 Assignment/Change of Name Other Petition for Retrospective License
 Small Entity Declaration ESTATE & REVIEW UNDER 35 USC 184
 Check for \$ 130.00 JACOBSON HOLMAN PLLC
 RECEIVED 400 SEVENTH STREET, N.W.
 REGISTRATION WASHINGTON, D.C. 20004

JH 11/01 DUE DATE
 Person filing LHS